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3 **Ordinance No. 2009-10-01**
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5 **A Ordinance**
6 **Amending the Camden County**
7 **Code of Ordinances**
8

9 **Camden County, North Carolina**
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11 BE IT ORDAINED BY THE CAMDEN COUNTY BOARD OF COMMISSIONERS as
12 follows:
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15 **Article I: Purpose**
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17 The purpose of this Ordinance is to amend the Chapter 153 of the Camden County Code
18 of Ordinances of Camden County, North Carolina, which was originally adopted by the
19 County Commissioners on February 19, 2007, and subsequently amended and as
20 otherwise incorporated into the Camden County Code.
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22 **Article II. Construction**
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24 **For purposes of this Ordinance, underlined words (underline) shall be considered as**
25 **additions to existing Ordinance language and strikethrough words (~~strikethrough~~)**
26 **shall be considered deletions to existing language. New language of proposed**
27 **ordinance shall be shown in italics (*italics*) and underlined.**
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30 **Article III. Amend Chapter 153 as amended of the Camden County Code**
31 **which shall read as follows:**
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34 **CHAPTER 153: ADEQUATE PUBLIC FACILITIES**
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37 **§ 153.09 APPEALS REQUESTS.**
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39 (A) Appeals of CAPS determinations may be made to the Camden County ~~BOC~~
40 Board of Adjustment (BOA) within 30 days of the final CAPS determination in question.
41 Appeal requests must be made in writing to the Administrator. The ~~BOC~~ BOA will
42 review all appeals requests within 30 days of appeal request at an evidentiary hearing
43 before it sitting as a quasi-judicial board. At the evidentiary hearing, the Administrator
44 will present his reasons for the denial of the CAPS and the evidence it relied on in
45 denying the CAPS. The applicant appealing the denial may present its reasons why the
46 CAPS application should have, in its view, been approved and the evidentiary basis it
47 contends supports approval. The ~~BOC~~ BOA may:

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(1) Affirm the decision of the Administrator;

(2) Remand to the Administrator for further proceedings in the event evidence is presented at the hearing before the ~~BOC~~ BOA not brought before the Administrator; or

(3) Issue a CAPS. The ~~BOC~~ BOA will only issue a CAPS if it finds that the CAPS should have been issued by the Administrator as prescribed in the LSSACF.

(B) No CAPS shall be issued while a CAPS determination is being appealed until final action of the ~~BOC~~ BOA regarding the appeal.

Adopted by the Board of Commissioners for the County of Camden this day of October, 2009.

County of Camden

Phillip Faison, Chairman
Board of Commissioners

ATTEST:

Ava Gurganus
Clerk to the Board